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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,922	12/19/2000	Dan Vassilovski	990092	4872
23696	7590	11/02/2006		EXAMINER
QUALCOMM INCORPORATED 5775 MOREHOUSE DR. SAN DIEGO, CA 92121				HASHEM, LISA
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/739,922	VASSILOVSKI, DAN	
	Examiner	Art Unit	
	Lisa Hashem	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 26 July 2006.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-41 and 43-51 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-41 and 43-51 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

FINAL DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-41 and 43-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,169,799 by McIntosh, in view of U.S. Patent No. 4,490,583 by Bednarz et al, hereinafter Bednarz.

Regarding claim 1, Bednarz discloses in a communication device (Fig 1A, 31) operable in at least two states, a method of transitioning between a call from a first state (e.g. first call; telephone user dials number to be called) to a second state (e.g. making a new or second call and bridging the first call and new call together), each state having an associated number, each number inherently having a prefix portion and a suffix portion, the call being associated with at least one called device (e.g. called device in another telephone network) and a calling device (e.g. telephone user of Station S1) (col. 7, lines 25-64; col. 10, lines 1-40), the method comprising:

requesting a change of state (e.g. this step reads on the user of Bednarz placing an existing call on hold and selecting a new line for dialing the second telephone number; col. 9, lines 17-28; col. 10, lines 34-39);
sending at least the suffix portion of the number corresponding to the second state to the calling device (e.g. dialing a second telephone number for an additional outgoing call);

and establishing a new connection between the called device and the calling device using the number corresponding to the second state, wherein the new connection is established for transitioning the call from the first state to the second state (e.g. conference call) (col. 10, lines 1-40).

Examiner takes *official notice* that it would be obvious for the called party to subscribe to multiple lines and for the called party's communication device to be operable in more than one state, that is having more than one number (as noted in Specification of the instant application; 'Related Art' on page 1, lines 14-24). When the calling party calls the called party on a first line of the called party's communication device, the called party can verbally inform the calling party of the calling device of a second line of the called party's communication device. Wherein, the first line and second lines have corresponding telephone numbers. The calling party can call the second line by placing the first line on hold and then conference in both the first line and the second line. It would be obvious to one of ordinary skill in the art to modify Bednarz to include the called device having more than one telephone line and the called party of the called device informing the calling party of the calling device of a second telephone number corresponding to a second telephone line. One of ordinary skill in the art would have been lead to make such a modification to transition between a first state and a second state and send a telephone number to a calling device in order for the calling device to execute transition to a second state.

McIntosh discloses in a communication device (e.g. calling party's telephone) (Fig. 1; col. 3, lines 15-44) operable in at least two states (e.g. a first call and a second call),

a method of transitioning between a call from a first state to a second state (e.g. making a first call and then making a second call), each state having an associated number (e.g. dialed telephone number),

each number having a prefix portion and a suffix portion (e.g. area code and called party number),

the call being associated with at least one called party and a calling party,

the method comprising (col. 2, lines 3-50):

requesting a change of state (e.g. making a second call);

sending at least the suffix portion of the number (e.g. 7 digit telephone number) corresponding to the second state (e.g. second call) to the calling device (e.g. dialing/entering the 7 digit telephone number by the caller);

comparing the number corresponding to the first state (e.g. 10 digit telephone number) with the number corresponding to the second state (e.g. 7 digit telephone number);

appending the prefix portion of the number corresponding to the first state with the suffix portion of the number corresponding to the second state; and

establishing a new connection between the called device using the number corresponding to the second state, wherein the new connection is established for transitioning from the first state to the second state (col. 3, line 45 – col. 4, line 46; col. 4, line 66 – col. 5, line 29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Bednarz to include determining a dialing prefix for a suffix portion of a number of a second state as taught by McIntosh. One of ordinary skill in the art would have been lead to make such a modification to include programming in the

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communication device to store predetermined numbers including the prefixes and suffixes, wherein when a suffix is only dialed the communication device can compare the suffix with other numbers in memory and append a prefix to the suffix to form a number corresponding to a second state.

Regarding claim 2, the method as set forth in claim 1 mentioned above, wherein McIntosh further discloses comprising storing the number corresponding to the first state in memory associated with the called device (Fig. 4; col. 3, line 45 – col. 4, line 24).

Regarding claim 3, the method as set forth in claim 1 mentioned above, wherein Bednarz further discloses comprising establishing a call in the first state prior to requesting a change of state (col. 7, lines 25-64; col. 10, lines 1-40).

Regarding claim 4, the method as set forth in claim 1 mentioned above, wherein McIntosh further discloses the prefix portion (Fig. 4, 210) comprises regional codes and the suffix portion (Fig. 4, 220) comprises the telephone number.

Regarding claim 5, the method as set forth in claim 1 mentioned above, wherein McIntosh further discloses the first state is a clear state (e.g. no match of number in memory) and the second state is a secure state (e.g. match of number in memory) (col. 3, line 45 – col. 4, line 46).

Regarding claim 6, the method as set forth in claim 1 mentioned above, wherein McIntosh further discloses the first state is a secure state (e.g. match of number in memory) and the second state is a clear state (e.g. no match of number in memory) (col. 3, line 45 – col. 4, line 46).

Regarding claim 7, the method as set forth in claim 1 mentioned above, wherein McIntosh further discloses the first state is a voice state (e.g. calling party speaks phrases into mouthpiece)

and the second state is a data state (e.g. dialing a seven digit phone number) (col. 3, line 45 – col. 4, line 46).

Regarding claim 8, the method as set forth in claim 1 mentioned above, wherein McIntosh further discloses the first state is a data state (e.g. dialing a phone number that is matched in memory) and the second state is a voice state (e.g. calling party speaks phrases into mouthpiece) (col. 3, line 45 – col. 4, line 46).

Regarding claim 9, the method as set forth in claim 1 mentioned above, wherein McIntosh further discloses the first state is a first phone number (e.g. 10 digit phone number) and the second state is a second phone number (e.g. 7 digit phone number) (col. 3, line 45 – col. 4, line 46).

Regarding claim 10, the method as set forth in claim 1 mentioned above, wherein McIntosh further discloses the calling device and the at least one called device are on a wireless call (col. 3, lines 20-24).

Regarding claim 11, Bednarz discloses in a communication device (Fig 1A, 31) operable in at least two states, a method of transitioning between a call from a first state (e.g. first call; telephone user dials number to be called) to a second state (e.g. making a new or second call and bridging the first call and new call together), each state having an associated number, each number inherently having a prefix portion and a suffix portion, the call being associated with at least one called device (e.g. called device in another telephone network) and a calling device (e.g. telephone user of Station S1) (col. 7, lines 25-64; col. 10, lines 1-40), the method comprising:

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requesting a change of state (e.g. this step reads on the user of Bednarz placing an existing call on hold and selecting a new line for dialing the second telephone number; col. 9, lines 17-28; col. 10, lines 34-39);

receiving at least the suffix portion of the number corresponding to the second state (e.g. dialing a second telephone number for an additional outgoing call);

and establishing a new connection between the called device and the calling device using the number corresponding to the second state, wherein the new connection is established for transitioning the call from the first state to the second state (e.g. conference call) (col. 10, lines 1-40).

Examiner takes *official notice* that it would be obvious for the called party to subscribe to multiple lines and for the called party's communication device to be operable in more than one state, that is having more than one number (as noted in Specification of the instant application; 'Related Art' on page 1, lines 14-24). When the calling party calls the called party on a first line of the called party's communication device, the called party can verbally inform the calling party of the calling device of a second line of the called party's communication device (e.g. receiving the number corresponding to the second state from the called device). Wherein, the first line and second lines have corresponding telephone numbers. The calling party can call the second line by placing the first line on hold and then conference in both the first line and the second line. It would be obvious to one of ordinary skill in the art to modify Bednarz to include the called device having more than one telephone line and the called party of the called device informing the calling party of the calling device of a second telephone number corresponding to a second telephone line. One of ordinary skill in the art would have been lead to make such a

modification to transition between a first state and a second state and send a telephone number to a calling device in order for the calling device to execute transition to a second state.

McIntosh discloses in a communication device (e.g. calling party's telephone) (Fig. 1; col. 3, lines 15-44) operable in at least two states (e.g. a first call and a second call), a method of transitioning between a call from a first state to a second state (e.g. making a first call and then making a second call), each state having an associated number (e.g. dialed telephone number), each number having a prefix portion and a suffix portion (e.g. area code and called party number), the call being associated with at least one called party and a calling party, the method comprising (col. 2, lines 3-50): requesting a change of state (e.g. making a second call); sending at least the suffix portion of the number (e.g. 7 digit telephone number) corresponding to the second state (e.g. second call) to the calling device (e.g. dialing/entering the 7 digit telephone number by the caller); comparing the number corresponding to the first state (e.g. 10 digit telephone number) with the number corresponding to the second state (e.g. 7 digit telephone number); appending the prefix portion of the number corresponding to the first state with the suffix portion of the number corresponding to the second state; and establishing a new connection between the called device using the number corresponding to the second state, wherein the new connection is established for transitioning from the first state to the second state (col. 3, line 45 – col. 4, line 46; col. 4, line 66 – col. 5, line 29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Bednarz to include determining a dialing prefix for a suffix portion of a number of a second state as taught by McIntosh. One of ordinary skill in the art would have been lead to make such a modification to include programming in the communication device to store predetermined numbers including the prefixes and suffixes, wherein when a suffix is only dialed the communication device can compare the suffix with other numbers in memory and append a prefix to the suffix to form a number corresponding to a second state.

Regarding claims 12-20, please see the rejections of the method in claims 2-10 above, respectively, to reject the method in claims 12-20.

Regarding claim 21, Bednarz discloses in a communication device (Fig 1A, 31) operable in at least two states, a method of transitioning between a call from a first state (e.g. first call; telephone user dials number to be called) to a second state (e.g. making a new or second call and bridging the first call and new call together), each state having an associated number, each number inherently having a prefix portion and a suffix portion, the call being associated with at least one called device (e.g. called device in another telephone network) and a calling device (e.g. telephone user of Station S1) (col. 7, lines 25-64; col. 10, lines 1-40), the method comprising:

requesting a change of state (e.g. this step reads on the user of Bednarz placing an existing call on hold and selecting a new line for dialing the second telephone number; col. 9, lines 17-28; col. 10, lines 34-39);

sending at least the suffix portion of the number corresponding to the second state to the calling device (e.g. dialing a second telephone number on the calling device); and receiving a request to establish a new connection from the calling device using a number corresponding to the second state,

wherein the new connection is established for transitioning the call from the first state to the second state (e.g. conference call) (col. 10, lines 1-40).

Examiner takes *official notice* that it would be obvious for the called party to subscribe to multiple lines and for the called party's communication device to be operable in more than one state, that is having more than one number (as noted in Specification of the instant application; 'Related Art' on page 1, lines 14-24). When the calling party calls the called party on a first line of the called party's communication device, the called party can verbally inform the calling party of the calling device of a second line of the called party's communication device. Wherein, the first line and second lines have corresponding telephone numbers. The calling party can call the second line by placing the first line on hold and then conference in both the first line and the second line. It would be obvious to one of ordinary skill in the art to modify Bednarz to include the called device having more than one telephone line and the called party of the called device informing the calling party of the calling device of a second telephone number corresponding to a second telephone line. One of ordinary skill in the art would have been lead to make such a

modification to transition between a first state and a second state and send a telephone number to a calling device in order for the calling device to execute transition to a second state.

McIntosh discloses in communication device (e.g. calling party's telephone) (Fig. 1; col. 3, lines 15-44) operable in at least two states (e.g. a first call and a second call), a method of transitioning between a call from a first state to a second state (e.g. making a first call and then making a second call), each state having an associated number (e.g. dialed telephone number), each number having a prefix portion and a suffix portion (e.g. area code and called party number), the call being associated with at least one called device and a calling device, the method comprising (col. 2, lines 3-50): requesting a change of state (e.g. making a second call); sending at least the suffix portion of the number (e.g. 7 digit telephone number) corresponding to the second state (e.g. second call) to the calling device (e.g. dialing/entering the 7 digit telephone number by the caller); receiving a request to establish a new connection from the calling device (e.g. entering the suffix portion to make a second call) using a number generated by appending the prefix portion of the number corresponding to the first state (e.g. initial call with 10 digit telephone number saved in memory) with the suffix portion of the number corresponding to the second state (e.g. new call), wherein the new connection is established for transitioning from the first state to the second state (col. 3, line 45 – col. 4, line 46; col. 4, line 66 – col. 5, line 29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Bednarz to include determining a dialing prefix for a suffix portion of a number of a second state as taught by McIntosh. One of ordinary skill in the art would have been lead to make such a modification to include programming in the communication device to store predetermined numbers including the prefixes and suffixes, wherein when a suffix is only dialed the communication device can compare the suffix with other numbers in memory and append a prefix to the suffix to form a number corresponding to a second state.

Regarding claims 22-30, please see the rejections of the method in claims 2-10 above, respectively, to reject the method in claims 22-30.

Regarding claims 31-40; please see the rejection of the method in claims 21-30, respectively, to reject the method in claims 31-40.

Regarding claim 41, Bednarz discloses an apparatus (Fig 1A, 31; col. 3, line 50 – col. 5, line 68) configured to transition between a first state (e.g. first call; telephone user dials number to be called) and a second state (e.g. making a new or second call and bridging the first call and new call together) during a call, each state having an associated number, each number inherently having a prefix portion and a suffix portion, the call being associated with at least one called device (e.g. called device in another telephone network) and a calling device (e.g. telephone user of Station S1) (col. 7, lines 25-64; col. 10, lines 1-40), the apparatus comprising:

a receiving configured to receive a request of change of state, wherein the receiver is further configured to receive the number corresponding to the second state (e.g. this step reads on the user of Bednarz placing an existing call on hold and selecting a new line for dialing the second telephone number; col. 9, lines 17-28; col. 10, lines 34-39); and an establisher configured to establish a new connection using the number corresponding to the second state (e.g. dialing an outgoing call), wherein the new connection is established for transitioning the call from the first state to the second state (e.g. conference call) (col. 10, lines 1-40).

Examiner takes *official notice* that it would be obvious for the called party to subscribe to multiple lines and for the called party's communication device to be operable in more than one state, that is having more than one number (as noted in Specification of the instant application; 'Related Art' on page 1, lines 14-24). When the calling party calls the called party on a first line of the called party's communication device, the called party can verbally inform the calling party of the calling device of a second line of the called party's communication device (e.g. receiving the number corresponding to the second state from the called device). Wherein, the first line and second lines have corresponding telephone numbers. The calling party can call the second line by placing the first line on hold and then conference in both the first line and the second line. It would be obvious to one of ordinary skill in the art to modify Bednarz to include the called device having more than one telephone line and the called party of the called device informing the calling party of the calling device of a second telephone number corresponding to a second telephone line. One of ordinary skill in the art would have been lead to make such a

modification to transition between a first state and a second state and send a telephone number to a calling device in order for the calling device to execute transition to a second state.

Bednarz discloses an apparatus operable in at least two states. However, Bednarz does not disclose a comparer and a grouper.

McIntosh discloses an apparatus (e.g. calling party's telephone) (Fig. 1; col. 3, lines 15-44) configured to transition between a first state and a second state during a call (e.g. making a first call and then making a second call), each state having an associated number (e.g. dialed telephone number),

each number having a prefix portion and a suffix portion (e.g. area code and called party number),

the call being associated with at least one called device and a calling device,

the apparatus comprising (col. 2, lines 3-50; col. 3, lines 32-44; col. 4, lines 25-46):

a receiver configured to receive a request of a change of state, wherein the receiver is further configured to receive the number corresponding to the second state (e.g. dialing/entering the 7 digit telephone number by the caller);

a comparer configured to compare the number corresponding to the first state (e.g. 10 digit telephone number) with the number corresponding to the second state (e.g. 7 digit telephone number);

a grouper coupled to the comparer configured to append the prefix portion of the number corresponding to the first state with the suffix portion of the number corresponding to the second state; and

an establisher configured to establish a new connection using the number corresponding to the second state, wherein the new connection is established for transitioning from the first state to the second state (col. 3, line 45 – col. 4, line 46; col. 4, line 66 – col. 5, line 29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of Bednarz to include a comparer and grouper as taught by McIntosh. One of ordinary skill in the art would have been lead to make such a modification to include programming in the apparatus to store predetermined numbers including the prefixes and suffixes, wherein when a suffix is only dialed the communication device can compare the suffix with other numbers in memory and append a prefix to the suffix to form a number corresponding to a second state.

Regarding claim 43, the apparatus set forth in claim 41 mentioned above, wherein McIntosh further discloses a storage device configured to store the number corresponding to the first state in memory associated with the called device (Fig. 4; col. 4, lines 5-18).

Regarding claim 44, the apparatus set forth in claim 41 mentioned above, wherein Bednarz further discloses the establisher is configured to establish a call in the first state prior a change of state (col. 7, lines 25-64).

Regarding claims 45-51, please see the rejection of the method in claims 24-30 above to reject the apparatus in claims 45-51, respectively.

Response to Arguments

3. Applicant's arguments with respect to claims 1-41 and 43-51 have been considered but are moot in view of the new ground(s) of rejection.

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4. Applicant argues in the Amendment filed 7-26-06, that Bednarz in view of McIntosh do not teach ‘...sending at least the suffix portion of the number corresponding to the second state to the calling device...’ and ‘...receiving at least the suffix portion of the number corresponding to the second state from the called device...’. Examiner disagrees.

McIntosh clearly discloses a caller or calling party entering/dialing (e.g. sending) at least the suffix portion of a telephone number (e.g. 7 digit telephone number) corresponding to the second state (e.g. making a second call) to the calling device (col. 5, lines 15-29). Thus, the prior art teaches the claimed limitation of sending at least the suffix portion to the calling device.

Bednarz clearly discloses a calling device receiving at least the suffix portion of the number (e.g. telephone number for a conference call) corresponding to the second state (e.g. bridging in a new device for a conference call) from the called device, wherein Examiner took *official notice* that a called party using the called device (e.g. a multi-line telephone) on a first call with the calling device can say verbally at least the suffix portion of the number corresponding to the second state to the calling party and the calling party can dial/enter this telephone number which is received into the calling device and thus, the number is received by the calling device (col. 10, lines 1-40).

In conclusion, the prior art teaches the claimed limitations.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 Form

7. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

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9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lh

October 28, 2006



FAN TSANG
SUPERVISOR PATENT EXAMINER
TECHNOLOGY CENTER 2600